

ATTORNEY DOCKET NO: 56356RCE5

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : TERASHIMA et al.
Serial No : 08/964,257
Confirm. No : 2047
Filed : November 4, 1997
For : APPARATUS EQUIPPED...
Art Unit : 2622
Examiner : M. Nguyen
Dated : February 8, 2008

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REPLY BRIEF

In response to the Examiner's Answer of December 11, 2007 Applicant hereby replies.

Claims 7-9 rejected under 35 U.S.C. 102(b) as being anticipated by Tajima

The Examiner states that the two surfaces forming the second sheet transporting path in Tajima, namely recessed portion A and a surface of the printer device 3, is not a sheet transporting path since the surfaces cannot transport the sheet downward. Appellant respectfully disagrees. Claim 7 does not require that the surface of the scanner apparatus and the surface of the base apparatus transport the sheet downward. Claim 7 only defines the second transport path using the surfaces of a scanner apparatus and a base apparatus, i.e. a path that a sheet of paper travels along when the scanner is mounted to the base apparatus. Claim 7 provides that a second sheet travels along a second transporting path that is defined by a

surface of the scanner apparatus and a surface of the base apparatus when the scanner is mounted to the base apparatus. Tajima clearly fails to provide a second transport path as defined by claim 7. Figure 1 of Tajima clearly provides two molded paths that are defined within the printer itself. As such, a surface of the scanner part 2 of Tajima and a surface of printer device 3 do not form a second transport path as claimed. Figure 1 of Tajima is consistent with Figure 5 of Tajima since Figure 5 clearly shows that the recessed portion of the printer body A is located between the housing of the scanner part 2 and the paper X. Both Figures 1 and 5 are in direct contradiction to the Examiner's statement that there is no second sheet transporting path without the scanner 2 on the printer 3. Figures 1 and 5 of Tajima clearly show that the printer device 3 has two molded sheet paths located within the printer that are not defined by any surface of the scanner part 2.

As to the other points raised in the Examiner's Answer these are already addressed in Appellant's Appeal Brief of August 7, 2007.

For all the above reasons and those stated in Appellant's Appeal Brief, the Board is respectfully requested to overturn the rejections in the last Office Action.

Respectfully submitted
for Applicant,



By: _____

John James McGlew
Registration No. 31,903
McGLEY AND TUTTLE, P.C.

JJM:BMD
56356RCE5-21

DATED: February 8, 2008
BOX 9227 SCARBOROUGH STATION
SCARBOROUGH, NEW YORK 10510-9227
(914) 941-5600

SHOULD ANY OTHER FEE BE REQUIRED, THE PATENT AND TRADEMARK OFFICE
IS HEREBY REQUESTED TO CHARGE SUCH FEE TO OUR DEPOSIT ACCOUNT 13-
0410.